**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION No.3127 OF 2004**

**ORAL ORDER:**

This writ petition is filed questioning the order passed by the State Transport Appellate Tribunal, dated 4.12.2003, in R.P.No.276 of 2003 whereunder the order passed by the Regional Transport Authority, dated 7.6.2003 granting stage carriage permit in favour of the petitioner herein in respect of the town service route – Bairavanagar to Revenue Colony, was set aside.

I have heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the A.P. State Road Transport Corporation and perused the material on record.

As could be seen from the material on record, the town service route applied for, covers a distance of 6.4 Kms from A.P. Housing Board Colony to Revenue Colony and only a short distance of 1.5 Kms is a new route. It is not in dispute that the route in question is overlapping to an extent of 1.4 Kms. In the circumstances, as rightly held by the Tribunal below, by virtue of Section 68 (3) (ca) of the Motor Vehicles Act, no new permit can be granted. Hence, the Tribunal below was justified in setting aside the order of the Regional Transport Authority.

Accordingly, the writ petition is dismissed. However, this shall not preclude the petitioner to make a fresh application, in which event, the same shall be considered in accordance with law. No costs.

**(G. ROHINI, J.)**

22nd August, 2007.
Kgr

**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION No.3127 OF 2004**

22nd August, 2007.

Between:

Smt. S. Sathyavathi. .. Petitioner.

And

The State Transport Appellate Tribunal,
Represented by its Secretary,
Near Exhibition Grounds,
M.J. Road, Hyderabad and others. .. Respondents.